

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY g D.C.
05 JUN 15 PM 2:56
ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

SHERRY MOTEN,

Plaintiff.

v.

WAL-MART STORES, INC.,

Defendant.

Case No. 05-2141-Ma-P

JURY DEMANDED

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on June 23, 2005. Present were James E. King, Jr., counsel for Plaintiff, and Brian A. Lapps, Jr., counsel for Defendants. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P. 26(a)(1): July 7, 2005

JOINING PARTIES: August 22, 2005

AMENDING PLEADINGS: August 22, 2005

INITIAL MOTIONS TO DISMISS: September 23, 2005

COMPLETING ALL DISCOVERY: January 23, 2006

(a) DOCUMENT PRODUCTION: January 23, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:

January 23, 2006

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 6-16-05

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION:

November 21, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT

INFORMATION: December 21, 2005

(3) EXPERT WITNESS DEPOSITIONS: January 23, 2006

FILING DISPOSITIVE MOTIONS: February 23, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. The parties anticipate that the case will be ready for trial on May 24, 2006. *It is anticipated the trial will last 3-4 days.*

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

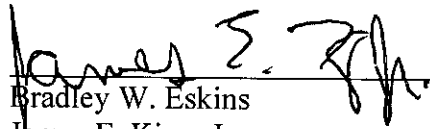
IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Tu M. Pham', is written over a horizontal line.

TU M. PHAM
UNITED STATES MAGISTRATE JUDGE

DATE: June 15, 2005

AGREED AND APPROVED FOR ENTRY:



Bradley W. Eskins

James E. King, Jr.

Eskins, King & Sevier, P.C.

50 North Front Street, Suite 770

Memphis, Tennessee 38103

(901) 578-6902

Attorneys for Plaintiff Sherry Moten



Brian A. Lapps, Jr.

Monica G. Johnson

Waller Lansden Dortch & Davis, PLLC

511 Union Street, Suite 2700

Nashville, TN 37219

(615) 244-6380

Attorneys for Defendant, Wal-Mart Stores, Inc.



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02141 was distributed by fax, mail, or direct printing on June 16, 2005 to the parties listed.

Bradley W. Eskins
ESKINS KING, PC
50 N. Front St.
Ste. 1170
Memphis, TN 38103

James E. King
ESKINS KING, PC
50 N. Front St.
Ste. 1170
Memphis, TN 38103

Monica G. Johnson
WALLER LANSDEN DORTCH & DAVIS
511 Union St.
Ste. 2700
Nashville, TN 37219--896

Brian A. Lapps
WALLER LANSDEN DORTCH & DAVIS
511 Union St.
Ste. 2700
Nashville, TN 37219--896

Honorable Samuel Mays
US DISTRICT COURT